(1) The facility's performances, as determined by air and ground inspection, must meet the requirements of §171.207.

(2) The installation of the equipment must meet the requirements of §171.209.

(3) The owner must agree to operate and maintain the facility in accordance with §171.211.

(4) The owner must agree to furnish periodic reports, as set forth in §171.213, and agree to allow the Federal Aviation Administration to inspect the facility and its operation whenever necessary.

(5) The owner must assure the Federal Aviation Administration that he will not withdraw the facility from service without the permission of the Federal Aviation Administration.

(6) The owner must bear all costs of meeting the requirements of this section and of any flight or ground inspections made before the facility is commissioned, except that the Federal Aviation Administration may bear certain of these costs subject to budgetary limitations and policy established by the Administrator.

(b) If the applicant for approval meets the requirements of paragraph (a) of this section, the Federal Aviation Administration commissions the facility as a prerequisite to its approval for use in an IFR procedure. The approval is withdrawn at any time the facility does not continue to meet those requirements.

§171.207 Performance requirements.

(a) VHF Marker Beacons must meet the performance requirements set forth in the ''International Standards and Recommended Practices, Aeronautical Telecommunications, Part I, paragraphs 3.1.6 and 3.6.'' (Annex 10 to the Convention on International Civil Aviation) except those portions that pertain to identification. Identification of a marker beacon (75 MHz) must be in accordance with ''U.S. Standard Flight Inspection Manual,'' §219.

(b) The facility must perform in accordance with recognized and accepted good electronic engineering practices for the desired service. The facility must be checked periodically during the in-service test evaluation period for calibration and stability. These tests and ground tests of the marker radiation characteristics must be conducted in accordance with the maintenance manual required by §171.211(b).

(c) It must be shown during ground inspection of the design features of the equipment that there will not be conditions that will allow unsafe operations because of component failure or deterioration.

(d) Flight inspection to determine the adequacy of the facility's operational performance and compliance with applicable ''Standards and Recommended Practices'' are conducted in accordance with the ''U.S. Standard Flight Inspection Manual.'' The original test is made by the Federal Aviation Administration and later tests must be made under arrangements, satisfactory to the Federal Aviation Administration, that are made by the owner.

§171.209 Installation requirements.

(a) The facility must be installed according to accepted good engineering practices, applicable electric and safety codes, and Federal Communications Commission requirements.

(b) The facility must have a reliable source of suitable primary power.

(c) Dual transmitting equipment may be required, if applicable, to support certain IFR procedures.

(d) At facilities within or immediately adjacent to controlled airspace and that are intended for use as instrument approach aids for an airport, there must be ground-air communications or reliable communications (at least a landline telephone) from the airport to the nearest Federal Aviation Administration air traffic control or communication facility. Compliance with this paragraph need not be shown at airports where an adjacent Federal Aviation Administration facility can communicate with aircraft on the ground at the airport and during the entire proposed instrument approach procedure. In addition, at low traffic density airports within or immediately adjacent to controlled airspace, and where extensive delays are not a factor, the requirements of this paragraph may be reduced to reliable communications (at least a landline telephone)